

**REMARKS**

Entry of the foregoing and reconsideration of the application identified in caption, as amended, pursuant to and consistent with 37 C.F.R. §1.114 and in light of the remarks which follow, are respectfully requested.

By the above amendments, claims 1, 9, 16, 17 and 19 have been amended for clarification purposes to recite that the polarizing layer is a linearly polarizing layer. Support for such amendments can be found in the instant specification at least at page 1, lines 23-28. Claims 9, 17 and 19 have been amended for clarification purposes by replacing the terms “consists of” or “consisting of” with the terms “comprises” or “comprising”. Entry of the foregoing amendments is proper at least because a Request for Continued Examination is being filed herewith. See 37 C.F.R. §1.114.

In the Official Action, claim 12 stands rejected under 35 U.S.C. §112, second paragraph, for the reasons discussed at page 2 of the Official Action. Specifically, the Patent Office has objected to the recitation of the term “minimum difference” in conjunction with “less than 0.05”. In this regard, Applicants note that the difference between the refractive indices of the optically isotropic phase and the optically anisotropic phase can, for example, vary as a function of the direction along which such refractive indices are measured. Such difference of refractive indices has a minimum value, and claim 12 recites that such minimum value is less than 0.05 along a direction in a surface plane of the film. In view of the above, it is apparent that the meaning of claim 12 is not unclear and as such, withdrawal of the §112, second paragraph, rejection is respectfully requested.

Claims 1-5, 9, 10, 13, 15, 20 and 21 stand rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,645,397 (*Ichihashi*). Claims 1, 7 and 12 stand rejected under 35 U.S.C. §103(a) as being obvious over *Ichihashi*. Claims 1, 9-12 and 14-19 stand rejected

under 35 U.S.C. §103(a) as being obvious over *Ichihashi* in view of U.S. Patent No. 5,751,388 (*Larson*). Claims 6 and 8 stand rejected under 35 U.S.C. §103(a) as being obvious over *Ichihashi* and further in view of U.S. Patent No. 6,149,837 (*Sekine et al*). Claims 22 and 23 stand rejected under 35 U.S.C. §103(a) as being obvious over *Ichihashi* and further in view of U.S. Patent No. 5,672,296 (*Shen et al*). Withdrawal of these rejections is respectfully requested for at least the following reasons.

Claim 1 is directed to an optical film comprising a transparent support and a linearly polarizing layer which selectively transmits polarized light and which selectively reflects or scatters other polarized light, wherein the linearly polarizing layer contains a liquid crystal compound represented by the following formula (I), wherein the compound has a fixed alignment:



in which each of Ar<sup>1</sup> and Ar<sup>2</sup> independently is a monovalent aromatic group, and Ar<sup>3</sup> is a divalent aromatic group.

According to additional aspects, claim 17 is directed to a polarizing plate, and claim 19 is directed to a liquid crystal display.

*Ichihashi* relates to a liquid crystal composition, a color filter and an optical film using such a liquid crystal composition (col. 1, lines 7-9). In particular, *Ichihashi* relates to color filters utilizing the light selective reflection of a cholesteric liquid crystal structure as color filters (col. 1, line 49 to col. 2, line 34). *Ichihashi* discloses a liquid crystal composition comprising at least one of compounds represented by the formula (1) or formula (2) disclosed at column 3 thereof, and at least one of chiral compounds whose structure change upon photoreaction (col. 2, lines 63-67).

*Ichihashi* does not disclose or suggest each feature recited in claims 1, 17 and 19. For example, *Ichihashi* does not disclose or suggest an optical film comprising a linearly polarizing layer, as recited in claim 1. Similarly, *Ichihashi* fails to disclose or suggest a polarizing element of light-scattering type which has a linearly polarizing layer as recited in each of claims 17 and 19. By comparison, *Ichihashi* discloses a composition including a chiral compound together with a liquid crystal compound. *Ichihashi* further discloses that the color filter thereof shows colors by circularly polarized light reflections caused by a helical pitch of the liquid crystal compound thereof (col. 17, lines 37-40). Thus, *Ichihashi* at best discloses a circularly polarizing layer, and has no mention or suggestion of a linearly polarizing layer as recited in claims 1, 17 and 19.

*Larson, Sekine et al* and *Shen et al* fail to cure the above-described deficiency of *Ichihashi*. In this regard, the Patent Office has relied on *Larson* for disclosing, *inter alia*, a method for forming a polymer dispersed liquid crystal (Official Action at page 6). The Patent Office has relied on *Sekine et al* for disclosing a particular liquid crystal compound (Official Action at page 11). Further, the Patent Office has relied on *Shen et al* for disclosing the use of boric acid as a crosslinking agent (Official Action at page 12). However, the secondary applied documents fail to provide any recognition or suggestion of modifying *Ichihashi* by replacing the circularly polarizing layer thereof with a linearly polarizing layer as presently claimed. Absent an improper resort to Applicants' own disclosure, one of ordinary skill in the art would not have been motivated to make such modification.

For at least the above reasons, it is apparent that no *prima facie* case of obviousness exists. Accordingly, withdrawal of the above §103(a) rejections is respectfully requested.

From the foregoing, further and favorable action in the form of a Notice of Allowance is believed to be next in order, and such action is earnestly solicited. If there are any

questions concerning this paper or the application in general, the Examiner is invited to telephone the undersigned.

Respectfully submitted,

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